3076-4-CDE-318752 IN THE PAITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Ricardo Sasso) Before the Examiner Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 on Serial No. 10/615,227 December 27, 2004) Group Art Unit 3731 (Date of Deposit) C. David Emhardt Filed July 8, 2003 Name of Registered Representative) December 27, 2004 tavil Enh INSTRUMENTATION AND Signature December 27, 2004 METHOD FOR PERFORMING Date of Signature **IMAGE-GUIDED SPINAL** SURGERY USING AN ANTERIOR) SURGICAL APPROACH

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure in accordance with 37 C.F.R. §1.56, Applicant wishes to bring to the attention of the Examiner the patents, publications and/or other information listed on the attached PTO Form 1449 (modified). Copies of the publications are enclosed with the PTO Form 1449. The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in § 1.56(b).

It is believed that this statement is being submitted prior to the first office action on the merits and that no fee is required for consideration of the submitted items. Should any fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully Submitted,

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INFORMATION DISCLOSURE STATEMENT BY APPENDANT

(use as many sheets as necessary)

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2	Complete if Known	
Application Number	10/615,227	
Filing Date	July 8, 2003	
First Named Inventor	Ricardo Sasso	
Group Art Unit	3731	
Examiner Name		
Attornev Docket Number	3076-4	· · · · · · ·

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (If known)	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant
		2002/0035321 A1	3/21/2002	Bicholz et al.	Figures Appear
		2002/0038085 A1	3/28/2002	Immerz	
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		6,470,207 B1	10/22/2002	Simon et al.	
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Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
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Examiner Signature	Date Considered	

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Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.nov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent document, the indication of the year of the reign of the emperor must precede the serial number of the patent document. Kind of document by the apopropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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				Complete if Known		
Substitute	Substitute for form 1449B/PTO			Application Number	10/615,227	
SUP	PLEMENTAL	. INFO	RMATION	Filing Date	July 8, 2003	
D	DISCLOSURE STATEMENT			First Named Inventor	Ricardo Sasso	-
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Sheet	2	of	2	Attorney Docket Number	3076-4	

	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher city and/or country where published	Т		
		M. MacMillan et al., Computer Assisted Guidance (CAG) for Percutaneous Trans- Sacral L5-S1 Fusion, Neuro-Orthopedics, 23, 53-61 (1998).			
		MacMillan poster presentation in July, 2001 for the International Society for Computer Assisted Orthopedic Surgery (CAOS-International)			
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